

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:
Xiao Zhang

Serial No.: 10/684,125

Confirmation No.: 2745

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Filed: October 10, 2003

Group Art Unit: 3688

Examiner: James W. Myhre

For: CROSS-SELLING IN STANDALONE SALES SYSTEMS

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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September 29, 2008
Date

/John C. Garza/
John C. Garza

Dear Sir:

APPEAL BRIEF

Applicants submit this Appeal Brief to the Board of Patent Appeals and Interferences on appeal from the decision of the Examiner of Group Art Unit 3688 dated May 21, 2008, finally rejecting claims 1-15 and 33-43. The final rejection of claims 1-15 and 33-43 is appealed. This Appeal Brief is believed to be timely since it is transmitted by the due date of September 29, 2008, as set by the filing of a Notice of Appeal on July 28, 2008.

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Real Party in Interest

The present application has been assigned to International Business Machines Corporation, Armonk, New York.

Related Appeals and Interferences

Applicant asserts that no other appeals or interferences are known to the Applicant, the Applicant's legal representative, or assignee which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

Status of Claims

Claims 1-15 and 33-43 are pending in the application. Claims 1-32 were originally presented in the application. Claims 33-43 have been added during prosecution. Claims 16-32 have been canceled without prejudice. Claims 1-15 and 33-43 stand finally rejected as discussed below. The final rejections of claims 1-15 and 33-43 are appealed. The pending claims are shown in the attached Claims Appendix.

Status of Amendments

All claim amendments have been entered by the Examiner. No amendments to the claims were proposed after the final rejection.

Summary of Claimed Subject Matter

Claimed embodiments include computer-implemented methods (see claims 1, 9, 33, and 37) directed to cross-selling products based on a system for sale to a customer. In one embodiment, an analyzer analyzes a currently configured system, and based on cross-sell products information and predefined cross-sell conditions, determines whether there are any cross-sell products available that may be added to the current system. These identified cross-sell products are presented to a user, who decides whether or not to make additional selection. See *Application*, page 6, lines 18-24; *Abstract*. For a description of the physical environment of the invention, see *Application*, p. 7-8, for a description of the software environment of the invention, see *Application*, p. 7-8, and for a description of methods for cross-selling products, see *Application*, p. 11-12.

A. CLAIM 1 – INDEPENDENT

Claim 1 recites a computer-implemented method of cross-selling products based on a system for sale to a customer. See *Application*, page 6, lines 18-24. As claimed, the method includes, for each selection by a user of a product from a product information source, receiving an order representing a state of a system based on the user selections. See *Application*, page 9, lines 12–25; page 11, lines 9–14; page 13, lines 5–23; FIG. 2-3. The method also includes, in response to receiving each order, determining whether the order qualifies for one or more cross-sell products. See *Application*, page 9, line 26 – page 10, line 27; page 11, lines 14-23, FIG. 2. The method also includes, upon determining that the order qualifies for one or more cross-sell products, presenting the one or more cross-sell products to the user, wherein each of the one or more cross-sell products presented to the user is offered at a discount based on the state of the system, and wherein each of the one or more cross-sell products presented to the user is determined to be compatible with the state of the system. See *Application*, page 11, line 24 – page 13, line 2; page 11, lines 1-8; page 15, line 28 – page 16, line 13; FIG. 2-14.

B. CLAIM 9 - INDEPENDENT

Claim 9 recites a computer-implemented method of cross-selling products based on a system for sale to a customer. See *Application*, page 6, lines 18-24. As claimed, the method includes receiving, from a user, product selections defining the system. See *Application*, page 9, lines 12-13; page 11, lines 9-12; FIG. 2. The method also includes configuring the product selections to represent a configured state of the system based on the product selections. See *Application*, page 9, lines 12-25. The method also includes, for each product selection, outputting an order representing the configured state of the system. See *Application*, page 9, lines 13-19; page 11, lines 14-15; FIG. 2. The method also includes, for each order, determining whether the order qualifies for one or more cross-sell products. See *Application*, page 9, line 26 – page 10, line 27; page 11, lines 14-23, FIG. 2. The method also includes, upon determining that the order qualifies for one or more cross-sell products, presenting the one or more cross-sell products to the user, wherein each of the one or more cross-sell products presented to the user is offered at a discount based on the configured state of the system, and wherein each of the one or more cross-sell products presented to the user is determined to be compatible with the configured state of the system. See *Application*, page 11, line 1 – page 13, line 2; page 15, line 28 – page 16, line 13; FIG. 2-14.

C. CLAIM 33 - INDEPENDENT

Claim 33 recites a computer-implemented method of cross-selling products based on a system for sale to a customer. See *Application*, page 6, lines 18-24. As claimed, the method includes receiving, in a configuration interface, user selections of one or more component products to be added to a configured system. See *Application*, page 9, lines 12-13; page 11, lines 9-12; FIG. 2. The method also includes determining, based on the user selections of one or more component products, one or more cross-sell products that may be added to the configured system. See *Application*, page 9, line 26 – page 10, line 27; page 11, lines 14-23, FIG. 2. The method also

includes determining, based on the user selections of one or more component products, a discounted value for each of the one or more cross-sell products. See *Application*, page 10, lines 2–12; page 11, lines 1–8; FIG. 2. The method also includes providing, in the configuration interface, one or more indications of the one or more cross-sell products available to be added to the configured system, wherein each indication includes the discounted value of the corresponding cross-sell product. See *Application*, page 9, line 26 – page 10, line 27; page 11, line 14 - page 15, line 19; page 16, lines 14–23; FIG. 2; FIG. 9; FIG. 15. The method also includes receiving, in the configuration interface, a user selection of at least one cross-sell product to be added to a configured system. See *Application*, page 9, lines 12–19; page 11, lines 9–15; FIG. 2. The method also includes providing, based on the user selections of one or more component products and the user selection of at least one cross-sell product, one or more software wizards to assist the user in configuring the configured system. See *Application*, page 14, line 11 - page 15, line 27; FIG. 10–11. The method also includes receiving, in the one or more software wizards, user instructions defining the configured system, wherein the user instructions indicate a specific arrangement of the one or more component products and the at least one cross-sell product within the configured system. See *Application*, page 14, lines 11–19; FIG. 5–6. The method also includes determining whether the user instructions represent a valid configuration for the configured system. See *Application*, page 9, lines 18–25; page 12, lines 3–9; FIG. 2. The method also includes, upon determining whether the user instructions represent a valid configuration for the configured system, presenting, in the configuration interface, a message indicating a valid configuration; and otherwise, presenting, in the configuration interface, a message indicating an invalid configuration. See *Application*, page 14, line 20 - page 16, line 13; FIG. 7–14.

D. CLAIM 37 - INDEPENDENT

Claim 37 recites a computer-implemented method of cross-selling products based on a system for sale to a customer. See *Application*, page 6, lines 18–24. As claimed, the method includes receiving, from a user, product selections to be included

in a system. See *Application*, page 9, lines 12–13; page 11, lines 9–12; FIG. 2. The method also includes determining, based on the product selections, a first configured system, wherein the configured system represents a validly operable configuration of the product selections. See *Application*, page 9, lines 12–25. The method also includes retrieving, from a data store, a second configured system, wherein the second configured system was based on at least one order previously received from the same user. See *Application*, page 13, lines 5–7; page 19, lines 16–26; FIG. 3. The method also includes determining one or more cross-sell products that are compatible with both the first configured system and the second configured system. See *Application*, page 9, line 26 – page 10, line 27; page 11, lines 14–23; page 13, lines 5–7; page 19, lines 16–26; FIG. 2–3. The method also includes, upon determining that the order qualifies for one or more cross-sell products, presenting the one or more cross-sell products to the user, wherein each of the one or more cross-sell products presented to the user is offered at a discount. See *Application*, page 11, line 1 – page 13, line 2; page 15, line 28 – page 16, line 13; FIG. 2–14.

Grounds of Rejection to be Reviewed on Appeal

1. Rejection of claims 1-15 and 33-36 under 35 U.S.C. § 102(b) as being anticipated by *Henson* (US 6,167,383, hereinafter "*Henson*").
2. Rejection of claims 37-43 under 35 U.S.C. § 103(a) as being unpatentable over *Henson*.

ARGUMENTS

1. Rejection of claims 1-15 and 33-36 under 35 U.S.C. § 102(b) as being anticipated by *Henson*.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Independent Claims 1 and 9

In this case, *Henson* does not disclose "each and every element as set forth in the claim". For example, *Henson* does not disclose a computer-implemented method of cross-selling products based on a system for sale to a customer that includes *presenting the one or more cross-sell products to the user, wherein each of the one or more cross-sell products presented to the user is offered at a discount based on the state of the system, and wherein each of the one or more cross-sell products presented to the user is determined to be compatible with the state of the system*, as recited in claim 1. Claim 9 includes a similar limitation. Regarding this limitation, the Examiner argues:

Henson explicitly discloses offering the user "McAfee VirusScan 3.1 at no additional charge" when the user has selected Microsoft Windows 95 or 98. (Figure 3a). Thus, Henson is offering a cross-sell "at a discount based on the state of the system", but only when it "is determined to be compatible with the state of the system", i.e. only when the user has selected Microsoft Windows 95 or 98.

Final Office Action, page 3. In other words, the Examiner is arguing that a selection box for "McAfee VirusScan 3.1" shown in Figure 3A of *Henson* teaches the recited limitation.

Applicant points out that the selection box cited by the Examiner is not labeled in Figure 3A, and is not in any way discussed or explained in the text of *Henson*. Thus, there is no indication that the McAfee software is being offered "at a discount based on the state of the system," as assumed by the Examiner. Therefore, the Examiner appears to argue that the mere appearance of the phrase "at no additional charge" in Figure 3A of *Henson* inherently teaches the recited limitation.

Applicant respectfully submits that the fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic. *In re Rijckaert*, 9 F.3d 1531, 1534, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993). *See MPEP* Sec. 2112. To establish inherency, the extrinsic evidence 'must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.' *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999). *See id.*

Applicant respectfully submits that the Examiner's analysis is flawed, since *Henson* does not inherently teach the recited limitation. That is, the limitation that *each of the one or more cross-sell products presented to the user is offered at a discount based on the state of the system* is not necessarily present in Figure 3A of *Henson*. For example, since *Henson* is entirely silent on how the pricing of the software mentioned in Figure 3A is determined, we may just as easily assume that such software is always free regardless of the vendor (i.e., "freeware"), or that such software is included for free with all computer orders, without regard for the state of any included systems. Since such software would not be *offered at a discount based on the state of the system*, Applicant submits that *Henson* does not inherently teach the recited limitation.

Applicant further submits that the cited material does not teach that *each of the one or more cross-sell products presented to the user is determined to be compatible with the state of the system*. The Examiner argues that Figure 3A of *Henson* teaches that the McAfee software is offered “only when the user has selected Microsoft Windows 95 or 98.” Thus, the Examiner appears to argue that Figure 3A of *Henson* inherently teaches the recited limitation. However, *Henson* does not disclose that the choices included in the cited selection box of Figure 3A are in any way determined to be compatible with the state of the system (i.e., to a particular OS), as assumed by the Examiner. In fact, as stated above, *Henson* is entirely silent with regards to the selection box shown in Figure 3A. Thus, *Henson* does not teach that determining compatibility with the state of the system is necessarily present in Figure 3A. For example, it may also be assumed that the cited selection box includes multiple software choices, each corresponding to a different OS, with the selection of the proper software (i.e., compatible with the system) being left to the user. Thus, *Henson* does not teach that the *cross-sell products presented to the user is determined to be compatible with the state of the system*.

Independent Claim 33

In the *Final Office Action* dated May 21, 2008, the Examiner argues that claim 33 is taught by *Henson*. Regarding the third clause of claim 33, the Examiner states:

c. determining a discounted value for each of the cross-sell products (inherent);

Final Office Action, page 5. However, the third clause of claim 33 actually states:

determining, based on the user selections of one or more component products, a discounted value for each of the one or more cross-sell products;

Applicant respectfully submits that omitting the underlined limitation has the effect of mischaracterizing claim 33, and thus trivializes the claim limitation. Therefore, Applicant submits that the Examiner has failed to properly establish the rejection of claim 33.

Further, the Examiner argues that the limitation of *determining, based on the user selections of one or more component products, a discounted value for each of the one or more cross-sell products* is inherent. However, Applicant points out that *Henson* does not in any way teach that a discounted value must be determined for each of the cross-sell products presented in the configuration screen of *Henson*. Since determining a discounted value for each of the cross-sell products is not necessarily present in *Henson*, it is not an inherent feature of *Henson*. Thus, *Henson* does not disclose *determining, based on the user selections of one or more component products, a discounted value for each of the one or more cross-sell products*.

The Examiner also argues that the limitation of *providing, based on the user selections of one or more component products and the user selection of at least one cross-sell product, one or more software wizards to assist the user in configuring the configured system* is taught by the "configuration, pricing, validation, shipment delay indication, and merchandising modules" described in *Henson*, column 6, lines 31-34. Applicant respectfully submits that the claim term "software wizard" refers to a user interface configured to aid a user in performing a defined task. For example, see the software wizard illustrated in Figure 5 of the present application. In contrast, the cited "modules" of *Henson* are not described as software wizards, but rather are described as software components of an "on-line store application." *Henson* fails to teach that such software components are any sort of software wizard. Thus, *Henson* does not disclose *one or more software wizards to assist the user in configuring the configured system*.

Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

2. Rejection of claims 37-43 under 35 U.S.C. § 103(a) as being unpatentable over *Henson*.

The Examiner bears the initial burden of establishing a prima facie case of obviousness. See MPEP § 2141. Establishing a prima facie case of obviousness

begins with first resolving the factual inquiries of *Graham v. John Deere Co.* 383 U.S. 1 (1966). The factual inquiries are as follows:

- (A) determining the scope and content of the prior art;
- (B) ascertaining the differences between the claimed invention and the prior art;
- (C) resolving the level of ordinary skill in the art; and
- (D) considering any objective indicia of nonobviousness.

Once the *Graham* factual inquiries are resolved, the Examiner must determine whether the claimed invention would have been obvious to one of ordinary skill in the art.

Further, the Federal Circuit points out that in *KSR International Co. vs. Teleflex, Inc.*, 127 S. Ct. 1727 (2007) the Supreme Court “acknowledged the importance of identifying ‘a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does’ in an obviousness determination.” *Takeda Chemical Industries, Ltd. v. Alphaphram Pty, Ltd.*, 492 F.3d 1350, 1356 (Fed. Cir. 2007).

Regarding the rejection of independent claim 37, the Examiner states:

While Henson does not explicitly disclose receiving a second configured system based on a previous order from the same user, it is disclosed that the user may be an individual, a business (small, medium, or large), or a government employee (Figure 8) and it is also disclosed the system asks if the user is a previous customer (Figure 7). The Examiner also notes that compatibility with legacy systems is always a main concern to businesses looking to upgrade or expand their existing systems. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Henson to check the compatibility of the component of the new system to each other, but also the compatibility of the components (and the whole system) with one or more previously ordered systems. One would have been motivated to do such a compatibility check between the systems in order to allow businesses to integrate the new system with their legacy systems. Additionally, if it is determined that the two systems are not compatible (e.g. old Mac system vs new PC system), such a determination may

provide the opportunity for the merchant to present an offer to the user for additional software or hardware, such as a MAC to PAC converter

Final Office Action, pages 7-8. The Applicant respectfully submits that the Examiner's reasoning for finding claim 37 to be obvious is merely a conclusory statement (*i.e.*, "it would have been obvious to one having ordinary skill in the art at the time the invention was made for Henson to check the compatibility of the component of the new system to each other, but also the compatibility of the components (and the whole system) with one or more previously ordered systems"), and fails to articulate reasons for a finding of obviousness with sufficient particularity. "[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness". *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006); cited with approval in *KSR Int'l Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1740-41 (2007).

Thus, even if we assume, *arguendo*, that one of skill in the art "would have been motivated to do such a compatibility check between the systems in order to allow businesses to integrate the new system with their legacy systems," the Examiner fails to explain why one would do so in the specific manner recited in the present claims. For example, the Examiner argues that *Henson* discloses that "the system asks if the user is a previous customer (Figure 7)" (*Final Office Action*, page 7). However, *Henson* does not disclose that an earlier system order placed by the customer is then retrieved, or that there is any sort of checking for cross-sell products that are compatible with both a current system order and the earlier system order, as required by the Examiner's argument. In fact, *Henson* does not disclose any sort of storage of earlier system orders at all, or of any need for compatibility across orders. Therefore, the Examiner has not provided a *prima facie* case of obviousness as required by MPEP § 2143.

Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

CONCLUSION

The Examiner errs in finding that:

1. Claims 1-15 and 33-36 are anticipated by *Henson*; and
2. Claims 37-43 are unpatentable over *Henson*.

Withdrawal of the rejections and allowance of all claims is respectfully requested.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

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CLAIMS APPENDIX

1. (Previously Presented) A computer-implemented method of cross-selling products based on a system for sale to a customer, comprising:
for each selection by a user of a product from a product information source, receiving an order representing a state of a system based on the user selections; and in response to receiving each order:
determining whether the order qualifies for one or more cross-sell products; and
if so, presenting the one or more cross-sell products to the user, wherein each of the one or more cross-sell products presented to the user is offered at a discount based on the state of the system, and wherein each of the one or more cross-sell products presented to the user is determined to be compatible with the state of the system.
2. (Previously Presented) The method of claim 1, wherein each order is processed as it is received to ensure that the state of the system is valid.
3. (Previously Presented) The method of claim 1, wherein each order is validated as it is received to ensure that the individual products selected by the user from the product information source for the system are compatible and to ensure that the system is properly configured with products necessary for proper operation.
4. (Previously Presented) The method of claim 1, wherein determining whether the order qualifies for one or more cross-sell products comprises applying matching logic to the order to determine whether the order satisfies predefined conditions.
5. (Previously Presented) The method of claim 1, further comprising calculating a price of each order as it is received.
6. (Previously Presented) The method of claim 1, further comprising:

receiving at least one user selection of the one or more cross-sell products;

determining whether the at least one user selection is compatible with the state of the system;

if so, adding the at least one user selection to the system; and

otherwise, if the at least one user selection is not compatible with the state of the system, presenting a message indicating an incompatible user selection.

7. (Original) The method of claim 1, wherein presenting the one or more cross-sell products to the user comprises displaying a notification to the user in a graphical user interface.

8. (Original) The method of claim 7, wherein, for at least one of the one or more cross-sell products, the notification comprises a selectable graphical element for invoking a configuration wizard adapted to facilitate adding the at least one of the one or more cross-sell products to the system.

9. (Previously Presented) A computer-implemented method of cross-selling products based on a system for sale to a customer, comprising:

receiving, from a user, product selections defining the system;

configuring the product selections to represent a configured state of the system based on the product selections;

for each product selection, outputting an order representing the configured state of the system;

for each order, determining whether the order qualifies for one or more cross-sell products; and

if so, presenting the one or more cross-sell products to the user, wherein each of the one or more cross-sell products presented to the user is offered at a discount based on the configured state of the system, and wherein each of the one or more cross-sell products presented to the user is determined to be compatible with the configured state of the system.

10. (Previously Presented) The method of claim 9, wherein presenting the one or more cross-sell products to the user comprises displaying the one or more cross-sell products in a system configuration user interface.
11. (Original) The method of claim 9, wherein determining whether the order qualifies for one or more cross-sell products comprises applying matching logic to the order to determine whether the order satisfies predefined conditions.
12. (Original) The method of claim 9, further comprising validating at least one order to ensure that the individual products selected by the user are compatible and to ensure that the system is properly configured with products necessary for proper operation.
13. (Original) The method of claim 12, wherein the validating is performed subsequent to determining whether the order qualifies for one or more cross-sell products.
14. (Original) The method of claim 9, wherein presenting the one or more cross-sell products to the user comprises displaying a notification to the user in a graphical user interface.
15. (Original) The method of claim 14, wherein, for at least one of the one or more cross-sell products, the notification comprises a selectable graphical element for invoking a configuration wizard adapted to facilitate adding the at least one of the one or more cross-sell products to the system.
- 16-32. (Cancelled)
33. (Previously Presented) A computer-implemented method, comprising:
receiving, in a configuration interface, user selections of one or more component products to be added to a configured system;

determining, based on the user selections of one or more component products, one or more cross-sell products that may be added to the configured system;

determining, based on the user selections of one or more component products, a discounted value for each of the one or more cross-sell products;

providing, in the configuration interface, one or more indications of the one or more cross-sell products available to be added to the configured system, wherein each indication includes the discounted value of the corresponding cross-sell product;

receiving, in the configuration interface, a user selection of at least one cross-sell product to be added to a configured system;

providing, based on the user selections of one or more component products and the user selection of at least one cross-sell product, one or more software wizards to assist the user in configuring the configured system;

receiving, in the one or more software wizards, user instructions defining the configured system, wherein the user instructions indicate a specific arrangement of the one or more component products and the at least one cross-sell product within the configured system;

determining whether the user instructions represent a valid configuration for the configured system;

if so, presenting, in the configuration interface, a message indicating a valid configuration; and

otherwise, if the user instructions do not represent a valid configuration for the configured system receiving, presenting, in the configuration interface, a message indicating an invalid configuration.

34. (Previously Presented) The method of claim 33, wherein determining one or more cross-sell products that may be added to the configured system comprises applying matching logic to determine whether the one or more component products satisfy predefined conditions.

35. (Previously Presented) The method of claim 33, wherein each indication includes a limited quantity of the corresponding cross-sell product available to be added to the configured system.

36. (Previously Presented) The method of claim 35, wherein the limited quantity is based on the user selections of one or more component products.

37. (Previously Presented) A computer-implemented method of cross-selling products to a customer, comprising:

receiving, from a user, product selections to be included in a system;

determining, based on the product selections, a first configured system, wherein the configured system represents a validly operable configuration of the product selections;

retrieving, from a data store, a second configured system, wherein the second configured system was based on at least one order previously received from the same user;

determining one or more cross-sell products that are compatible with both the first configured system and the second configured system; and

presenting the one or more cross-sell products to the user, wherein each of the one or more cross-sell products presented to the user is offered at a discount.

38. (Previously Presented) The method of claim 37, wherein the discount is based on the first configured system.

39. (Previously Presented) The method of claim 37, wherein the discount is based on the second configured system.

40. (Previously Presented) The method of claim 37, wherein the discount is based on both the first configured system and the second configured system.

41. (Previously Presented) The method of claim 37, wherein the discount comprises an entire price of each cross-sell product, such that each cross-sell product is offered to the user for free.

42. (Previously Presented) The method of claim 37, wherein each of the one or more cross-sell products presented to the user is offered in a limited quantity.

43. (Previously Presented) The method of claim 42, wherein the limited quantity is based on at least one of the first configured system and the second configured system.

EVIDENCE APPENDIX

None.

RELATED PROCEEDINGS APPENDIX

None.